

December 10, 2009

We Concur: Ashmann-Gerst, J.
Chavez, J.

DIVISION FOUR

Court convened at 1:30 p.m.

Present: Epstein, P.J., Willhite, J., Suzukawa, J. and V. Guzman, Deputy Clerk.

B209986 Aghakhabian, et al.
 v.
 Aghayan, et al.

Merits:

Argued by Alexander H. Escandari for appellants and by Alex Gilanians for respondents. Cause submitted.

B211758 Zahedi
 v.
 Zahedi, et al.

Merits:

Argued by Fredrick S. Levin for appellants and no appearance for respondent. Cause submitted.

B216585 People
 v.
 Rivera, et al.

Merits:

Argued by Elliot N. Tiomkin for appellants and by Joseph P. Lee, deputy attorney general for respondent. Cause submitted.

B209012 Thompson
 v.
 Costco Wholesale Corporation

Merits:

Argued by Lola P. Thompson for appellant and by Kevin G. McCluskey for respondent. Cause submitted.

DIVISION FOUR (continued)

B213661 People
v.
Lara

Merits:

Argued by Wade Skalsky for appellant and by Erika D. Jackson, deputy attorney general for respondent. Cause submitted.

Court adjourned.

DIVISION FIVE

B211979 People (Not for Publication)
v.
Jose Cruz, et al

The true finding on the section 186.22, subdivision (d) gang enhancement allegation to the count 3 arrest conviction is reversed. The judgment of conviction as to appellant Cruz is affirmed in all other respects. The matter is remanded to the trial court for resentencing on the count 3 conviction, which becomes a misdemeanor upon the striking of the gang enhancement. The ten year enhancement term imposed on appellant Perez pursuant to section 186.22, subdivision (b)(1) and the one year term imposed pursuant to section 12022 are ordered stayed. The ten year term imposed but stayed pursuant to section 12022.53 is no longer stayed. Appellant Perez's sentence now totals 13 years. The following sentence is ordered stricken from appellant Perez's abstract of judgment: "Defendant is ordered to pay attorney fees in the amount to be determined by the financial evaluator." The following sentence is ordered inserted into that abstract of judgment: "Defendant has been ordered to appear before a financial evaluator for an inquiry into his ability to pay attorney fees." The judgment of conviction is affirmed in all other respects.

Armstrong, Acting P.J.

I concur: Kriegler, J.

I concur and dissent: Mosk, J. (opinion)

December 10, 2009 (Continued)

DIVISION FIVE (continued)

B209950 People (Not for Publication)
v.
Ernest Freeman

We remand for resentencing. The judgment is otherwise affirmed.

Mosk, J.

I concur: Armstrong, J:
I concur and dissent: Turner, P.J. (opinion)

DIVISION SIX

Court convened at 1:30 p.m.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

Each of the following:

B211679 People v. Leon
B212445 People v. Sandra Kay Hill
B212844 People v. Khamseh
B214370 People v. Martinez
B214572 People v. Beuer

Argument waived, cause submitted.

B216325 People
v.
Townsend

Merits:
Argued by Gerald J. Miller for appellant and by A. Scott Hayward, Deputy Attorney General, for respondent via video conference. Cause submitted.

DIVISION SIX (continued)

B217237 People
 v.
 Shawn Hill

Merits:

Argued by Gerald J. Miller for appellant and by A. Scott Hayward, Deputy Attorney General, for respondent via video conference. Cause submitted.

B217241 People
 v.
 Matthews

Merits:

Argued by Gerald J. Miller for appellant and by Stephanie C. Brennan, Deputy Attorney General, for respondent via video conference. Cause submitted.

B215562 People
 v.
 T.M.

Merits:

Argued by David Andrew Andreasen for appellant and by Scott A. Taryle, Deputy Attorney General, for respondent via video conference. Cause submitted.

B212988 People
 v.
 Alvarez

Merits:

Argued by Linda Rush for appellant and by Mary Sanchez, Deputy Attorney General, for respondent via video conference. Cause submitted.

DIVISION SIX (continued)

B217810 People
 v.
 N.A.

Merits:

Argued by Michael C. McMahon, Chief Deputy Public Defender, for appellant and by Michael D. Schwartz, Special Assistant District Attorney, for respondent. Cause submitted.

Yegan, J. left the bench.

B215885 People
 v.
 Jones

Merits:

Argued by Allen Anthony Bifano for appellant. Argument previously waived by respondent. Cause submitted.

B213137 People
 v.
 Johnson

Merits:

Argued by John Gregory Derrick for appellant and by Catherine Okawa Kohm, Deputy Attorney General, for respondent via video conference. Cause submitted.

B206433 People
 v.
 Frimpong

Merits:

Argued by Thomas J. Nolan and Ronald Forrest Turner with the court's permission for appellant and by Stephanie A. Miyoshi, Deputy Attorney General, for respondent via video conference. Cause submitted.

Court adjourned.

DIVISION SEVEN

Court convened at 10:00 a.m.

Present: Perluss, P.J., Woods, J., Zelon, J. and Eva McClintock, Deputy Clerk.

B217290 Polanski
 v.
 Superior Court, Los Angeles County
 (The People, r.p.i.)

Merits:

Argued by Chad Hummel for petitioner; by Phyllis Asayama, Deputy
District Attorney for real party in interest and by Lawrence Silver on behalf
of Samantha Geimer. Cause submitted.

Court adjourned.

DIVISION EIGHT

B212761 Princess Crusie Lines, Ltd.,
 v.
 Superior Court, Los Angeles County
 (H. Roger Wang, et al., r.p.i.)

Filed order denying petition for rehearing.